

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 10/748,197 Confirmation No. 6732
Applicant : Chang-Seob Kim, et al.
Filed : December 31, 2003
Title : JELLY-ROLL TYPE BATTERY UNIT AND WINDING METHOD
THEREOF AND LITHIUM SECONDARY BATTERY COMPRISING
THE SAME

TC/A.U. : 1795
Examiner : Maria J. Laios

Docket No. : 66249/L550

DECLARATION UNDER 37 CFR § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068

Commissioner:

We, Chang-Seob Kim, Ju-Hyung Kim, Min-Ho Song and Jung-Won Kang, declare and state as follows:

1. We are joint inventors of the subject matter described and claimed in the above identified patent application. A copy of the pending claims are annexed hereto as Exhibit 1.

2. The present application claims priority to Korean Patent Application No. 10-2003-0010410, filed in the Korean Intellectual Property Office (KIPO) on February 19, 2003 (the "priority application").

3. We make this Declaration to antedate Japanese Patent Application No. JP 2003-031201 A by Akoin et al. published by the Japan Patent Office (JPO) on January 31, 2003

(hereinafter “Akoin”), which was cited by the Examiner in the Office action mailed May 28, 2010.

4. Prior to January 31, 2003, in the Republic of Korea (a WTO member country), we conceived the invention claimed in this application. We then, prior to January 31, 2003, prepared the attached invention report, generally describing exemplary embodiments of the invention, and submitted that invention report to Samsung SDI Co., Ltd. (“Samsung SDI”), the assignee of this application. True and correct copies of the invention report (with date redacted), which we prepared in Korean and submitted to Samsung SDI prior to January 31, 2003, and an English translation thereof are attached to this Declaration as Exhibit 2.

5. We have been informed and believe that prior to January 31, 2003, Samsung SDI retained Y.P. Lee, Mock & Partners, a Law Firm in the Republic of Korea, to prepare and file the priority application with the Korean Intellectual Property Office.

6. During the period from prior to January 31, 2003, until filing of the priority application on February 19, 2003, we worked diligently with the Korean patent attorney, Seongyong Lee, of Y.P. Lee, Mock & Partners, to prepare a patent application describing the subject matter set forth in the invention report.

7. Between the period from prior to January 31, 2003 and the priority application filing date of February 19, 2003, upon receipt of each draft of the patent application, we promptly reviewed the application to ensure that our inventive concepts were adequately described. We are informed and believe that we received the first draft of the priority application on December 4, 2002, which we promptly reviewed and provided comments on December 30, 2002.

8. We approved the final draft of the priority application on December 30, 2002, resulting in the subsequent filing of the priority application in the Korean Intellectual Property Office on February 19, 2003, which was assigned Korean Patent Application No. 10-2003-0010410.

9. Non-provisional United States Patent Application No. 10/748,197 was filed on December 31, 2003 in the United States Patent and Trademark Office, claiming priority to the priority application (i.e., Korean Patent Application No. 10-2003-0010410 filed February 19, 2003).

10. I declare that all statements made herein are of my own knowledge, are true, and that all statements made on information and belief are believed to be true. The statements herein are made with the knowledge that willful false statements are punishable by fine, imprisonment, or both, under Title 18, § 1001 of the United States Code, and that such willful statements may jeopardize the validity of this application or any patent issued on this application.

Date: 2010. 8. 26

By: CHANGSEOB KIM
Chang-Seob Kim

Date: 2010. 8. 26

By: Ju-Hyung Kim
Ju-Hyung Kim

Date: 2010. 8. 26

By: Min-Ho Song
Min-Ho Song

Date: 2010. 8. 26

By: Jung-Won Kang
Jung-Won Kang